

Filed for intro on 05/15/95
House Bill _____
By _____

Senate No. SB1919
By Fowler

AN ACT to amend Tennessee Code Annotated, Section 49-6-3050, relative to home schools.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-6-3050(b)(1), is amended by adding the following before the semicolon at the end of the subdivision:

If notice is not given by August 1, but is given by September 1, it may be submitted upon payment by the parent of twenty dollars (\$20.00) for each week or portion thereof by which notice is late. This penalty payment shall be charged per family regardless of the number of children attending the home school. The superintendent shall have the discretionary authority to waive the September 1 deadline for good and sufficient reasons. Any person, official or agent of the local superintendent who receives the registration pursuant to this section shall have the responsibility to provide the parent registering, information concerning the parent's rights. Such information shall be substantially as follows:

(1) The twenty dollar (\$20.00) penalty imposed by this subdivision only applies when registering with the local education agency after August 1. The

parent may choose to register as a home schooling parent with a church-related school at any time without penalty.

(2) Home schooling is legal in Tennessee. A parent has the right to teach the parent's child or children at home without fear of legal penalty or of being accused of truancy so long as the parent complies with state laws regarding home schools; see Tennessee Code Annotated, Section 49-6-3001(c)(2)(C).

(3) A parent or legal guardian may choose to withdraw the parent's or legal guardian's child from a public school for any "good and substantial reason as determined by such parent or legal guardian" and agreed to by the local board of education. If a parent or legal guardian withdraws the parent's or legal guardian's child, then the parent or legal guardian has thirty (30) days to enroll the child in another public school, a non-public school, or to begin a home school; see Tennessee Code Annotated, Section 49-6-3001(c)(4).

(4) Under Tennessee law, parents deciding to home school have the choice either to register with the superintendent of the local education agency or to register with a church-related school; however, children in grades 9 through 12 must register with the local education agency even if registered with a church-related school; see Tennessee Code Annotated, Section 49-6-3050(a)(2)(A) and (a)(2)(C)(i).

(5) There are different requirements for home school depending upon where the parent registers. Local education agencies' requirements are set by state law. Church-related schools, which are exempt from regulation by the department of education and from regulation by local education agencies, set their own requirements for home schools; see Tennessee Code Annotated, Section 49-50-801(b).

The superintendent or the superintendent's designee shall also provide such information to attendance teachers upon the employment of such persons and at the beginning of each school year.

SECTION 2 . This act shall take effect upon becoming a law, the public welfare requiring it.

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